

REMARKS

In the office action dated December 1, 2004, claims 1-5 and 9-11 were pending and rejected.

I. Summary of Telephone Interview

Applicant would like to thank Examiner Prone for the brief telephone interview conducted on February 1, 2005. Examiner Prone believed adding a limitation regarding the convex and concave shapes of the cutting knife would be sufficient to overcome the Still reference. Further search by Examiner Prone will be needed.

II. Rejections under 35 U.S.C. 103(a)

A. Claims 1 and 9

Claims 1-5, 9, and 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,572,046 to Still over German reference 1282914. The Examiner contends that Still teaches everything in independent claims 1 and 9 with the exception of the knife assembly having a home position where the leading point of the blade is directly above an insertion point and that the distance between the first lateral edge and the insertion point is less than or equal to the length of the trailing edge. The Examiner utilizes the '914 reference to teach this missing claim limitation. Applicant respectfully traverses this rejection.

Applicant has amended claims 1 and 9 to include the limitation "with a concave portion followed by a convex portion" with respect to the curved profile of the knife. The knife in Still only has a concave curved portion. There is no teaching or suggestion that the curved portion of Still's cutting knife have multiple curves as claimed in the present invention. Further, the '914 reference utilizes two straight edges to effectively cut through the ply stock. It is well settled case law that for a rejection under § 103 to hold, all claims limitations must be taught by the cited references. No reference, either alone or in combination, teaches or suggests the present invention, and more specifically, a "knife assembly including a blade having a cutting portion including a leading point, a leading edge and a trailing edge, [the] trailing edge having an associated length (L), [the] leading edge having a curved profile with a concave portion followed by a convex portion, and [the] trailing edge having a straight profile." (emphasis added) Based

upon the foregoing, Applicant respectfully proffers that claims 1 and 9 are allowable, and the rejection under § 103 should be withdrawn.

B. Claims 2-5 and 11

Claims 2-5 and 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Still over the '914 reference. Claim 10 was rejection under 35 U.S.C. 103(a) as being unpatentable over Still over the '914 reference and further in view of Murphy et al.

Claims 2-5, 10 and 11 depend from claims 1 and 9, respectively, either directly or indirectly. As such, the arguments made for claims 1 and 9 are equally applicable and are incorporated herein by reference.

CONCLUSION

In response to the Office Action dated December 1 2004, claims 1 and 9 have been amended pursuant to 37 C.F.R. 1.121. It is believed these amendments have placed the amended claims in conformance with the requirements of the Office Action. At this point, Applicant believes that the claims remaining in the case distinguish over the art cited and comply with the requirements of 35 U.S.C. §102, §103 and §112. As such, allowance of the claims is respectfully requested.

Respectfully submitted,

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Date

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